

**Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia**

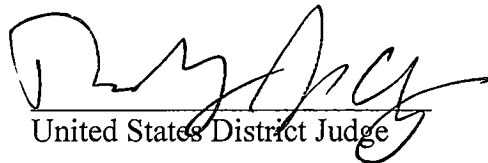
Respondent.

Civil Action No. 17-2640 (UNA)

for 17 years over a pay issue due to the incorrect distribution of \$200 million” in pay raises. Pet. at 1 (parenthesis and capitalization omitted); *see Jensen v. Huerta*, 828 F. Supp. 2d 174, 177, 183 (D.D.C. 2011) (dismissing plaintiff’s three consolidated lawsuits “arising out of the same facts against the United States [as] barred by the doctrine of claim preclusion”).

Petitioner surmises that he is among the one percent of air traffic controllers “cheated out of an average of \$7,000 per year,” Pet. at 2, but he has had no success in litigating the underlying pay dispute. *See Brodowy v. United States*, 482 F.3d 1370, 1374-75 (Fed. Cir. 2007) (concluding that the plaintiffs, Jensen included, “were not entitled to the benefits of the two-step increase in pay received by controllers who transferred at a time when the [General Schedule] system was in effect for all the facilities”); *Jensen*, 828 F. Supp. 2d at 181 (noting that *Brodowy* and petitioner’s current consolidated cases “clearly arise out of the same pay dispute” and that the “Federal Circuit’s decision was final and made on the merits”). In view of the Federal Circuit’s decision, the Court concludes that petitioner cannot meet the standard for mandamus relief. As a result, his petition for a writ of mandamus must be denied.¹

Date: February 1, 2018


United States District Judge

¹ A separate order of dismissal accompanies this Memorandum Opinion.